#### IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

JAYSON CRAWFORD,	§
Plaintiff,	§ § 8
vs.	§ CIVIL ACTION NO. 3:16-CV-2402-B
	§
METROPOLITAN LIFE	\$
INSURANCE COMPANY,	§
	<b>§</b>
Defendant.	<b>§</b>

# DECLARATION OF JESSICA TAYLOR IN SUPPORT OF PLAINTIFF JAYSON CRAWFORD'S RESPONSE TO DEFENDANT METROPOLITAN LIFE INSURANCE COMPANY'S MOTION FOR SUMMARY JUDGMENT

Pursuant to 28 U.S.C. §1746, I, Jessica Taylor, declare and state as follows:

- 1. I am the attorney of record for Plaintiff, Jayson Crawford, in the above-entitled and numbered cause. I submit this declaration in support of Plaintiff's Response to Defendant Metropolitan Life Insurance Company's ("MetLife") Motion for Summary Judgment. I make this declaration based on my personal knowledge.
- 2. Attached hereto as Exhibit A is a true and correct copy of pages from MetLife's claim file regarding the claim for benefits made by Jayson Crawford, which its counsel produced to me during the course of litigation.
- 3. Attached hereto as Exhibit B is a true and correct and complete copy of the Southwest Airlines Co. Welfare Benefit Plan Summary Plan Description Effective January 1, 2013, which MetLife's counsel produced to me during the course of litigation.
- 4. I declare under penalty of perjury, that the foregoing is true and correct and to the best of my knowledge.

Executed on July 5, 2017, in San Antonio, Texas.

JESSICA TAYLOR

# **EXHIBIT A**

### SANDERS, O'HANLON, MOTLEY & YOUNG, P.L.L.C.

LAWYERS:

ROGER D. SANDERS I MICHAEL YOUNG LAURA GALLAKDO 111 South Travis Street Sherman, Texas 75090 Office: (903) 892-9133 Fax: (903) 892-4302

www.somlaw.net

LAWYERS:

antecny o'eanlon, i.c.\* like motley, fy\* upendar i reddy\*

<sup>®</sup>Of Counsel

January 16, 2015

Attn: Claim #21412010327 Medlife Group Claims

VIA FAX (570) 558 8645

Insured:

Tracy Phillips Crawford

Date of Death:

12/15/2014

CLAIM#:

21412010327

Dear Group Benefits Administrator:

I represent Jayson Crawford regarding his claim to group life insurance benefits from his deceased wife, Tracy Crawford. Please direct all correspondence regarding his claim to the policy proceeds to my attention. Furthermore, any payment for the benefits must be made to the trust account of my firm, given his assignment of the claim.

The facts, to my understanding, are, in summary:

- a) Tracy Crawford was a long time employee of Southwest Airlines;
- b) She was married to Steven Marshman, until their divorce in 2007;
- Southwest Airlines had a group life insurance plan administered by Standard.
   After her divorce, Tracy designated her nephew, Cooper Burnett, as beneficiary under the Standard Policy;
- Tracy married Jayson Crawford on August 15, 2011;
- According to Jayson, Tracy made changes to her profit sharing, 401k, and life insurance benefits electronically on or about September 26, 2011, listing Jayson as the beneficiary for each;

- f) At some point, apparently prior to 2011, Southwest changed its group life insurance coverage plan to one administered by Metlife;
- g) Tracy Crawford died on August 15, 2014;
- Upon making a claim for benefit, Jayson Crawford has learned that neither Metlife or Southwest have a record of an electronic (or paper) beneficiary designation for the Metlife policy;
- Southwest claims it can only locate a paper beneficiary designation for the old policy through Standard.

If the facts to your knowledge are different, please detail such differences.

In my experience with group ERISA life insurance policies, the plans typically specify that the spouse at the time of death receives the benefits if there is no current beneficiary designation. Therefore, my client makes claim to the life insurance proceeds and demands that Metlife not pay any other purported beneficiary.

I do not believe any designation under the prior policy is valid in this circumstance. This view is supported by Texas common law. In *Leath v. Tillery*, 424 S.W.2d 505 (Tex. Civ. App. Fort Worth 1968), the court considered a circumstance where the insured had designated her mother as beneficiary under the earlier policy, but had married and had a child after the change of carrier and not changed her beneficiary. The court refused to recognize the earlier designation, given the lack of updated designation and changed life circumstances. *Id.* at 506. While ERISA policies are governed by federal law, federal courts often look to analogous state law precedent. *Wegner vs. Standard Ins. Co.* 129 F. 3d 814 (5th Cir. 1997) (federal common law may be determined by reference to analogous state law).

Feel free to call or write if you wish to discuss this matter further.

J. Michael Young

ce: client

# **MetLife**

### FAX COVER PAGE 01/20/15 08:13:31 AM

To: dit

Fax Number: 5702071701

From: E

Eileen

Phone Number:

8006386420

Fax Number:

5705588657

Subject:

TRACY CRAWFORD 21412010327 SOUTHWEST

**AIRLINES** 

Pages (including cover):
If there are problems with this facsimile call:

1

Wasanas -

8006386420

#### Message:

April,

The system indicates you are the contact in southfield for this claim.

We have a rival on this claim and there are questions regarding the beneficiary form on file for this claim.

Can you please send me the beneficiary designation form on file for this claim? We need the most recent beneficiary form and also any designation forms on file that may name a Jayson Crawford spouse as the beneficiary.

Employee is Tracy Crawford SSN 455 13 9959

Thanks for your assistance,

Eileen Bronson | Complex Claims Examiner | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 800-638-6420 | F. 570-558-8645 |

The Information contained in the following pages is privileged, confidential and intended only for the individual named above. ANY OTHER USE, DISSEMINATION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND IS TORTIOUS INTERFERENCE WITH OUR CONFIDENTIAL BUSINESS RELATIONSHIPS. If this document was erroneously sent to you, please notify us immediately at the number listed above and then destroy this document.

MET/CRAWFORD 00571

APP.006

				WARRAN	-	•	·	7e# 10 #1		g-10-,,	<del>,</del>	7.4	<del>,</del>	
·	Employee ID: 16-70-0 SWA City Code: H57V 9	13 99 59	n predeceases you, payment will be mad	Winder Percent Number of Aug 11 725.2   CC 94.	TO SECULIAR TO SEC	4%	**	**************************************	Cockel Sections   Prices	e/2/16/41 8909 60 %.	- W.	MOIN: percentages must tetal 100%	In order for your designation to be officitive, you must raturn this original form to: Southwest Adhas Co. Seculity & Welster Benefits (FDC-6EB)	Jelles, TX 762384-1611
4	See ID	×294	ownedicle I and ass	Date of Birth				will be pary(les),	Date of Birth	l'e/a			ontgratic	1
Regular Plan I Igneffon Form	10 Emplo	te, Zip. TTP/VS.I 6-tv/ / 1 X. Sodal Security Municer. 1465.	seift (if eay primary) sheek (v.) this hox E		14. [			tingent Benefabry contingent benefici don).	Fluine" Nifiliar	381-470-			In order for your deal this original form to:	(No Coples or Faxes)
west Arlines Co. Benefits Plus a oup Life and AD&D Beneficiary	Date of Blith 11.1	Address: 1052 12 151 1059 1059 1000 1000 1000 1000 1000	Pfinary Beneficiary[lest Designation in processes any behatis fist may become payable upon my destrict any primary beneficiary predecesses you, payment will be made to the remember beneficiary(lest, if any, pro min based on that designated 'Percent' unless you check try this how □ and stach a separate sheet of peper indicating a differential and stach a separate sheet of peper indicating a	The State Get The	PALOT CALA	548.et. 185. sirkn 720	Novel of Tables, 249	Confingent Beneficiary (see Designation)  i dame the following percents) or institution;  predecessed me (if any contingent beneficiary predecesses you, payment will be made to the remedingent beneficiary (set unless all Primary Beneficiary) pared for made to the remedingent beneficiary (set) into box II any pror as besent a stream testing a different distribution).	Address	annual suited south (rect.	With Site is the Commence of t	A. 00. 20.		your destinetions.
8000	1 WALES	5451 call Phone.	Designation Institution(s) to rece ary(tes), if any, pro	Relation great	F 1	D (2)	2	s) Designation or hedicitories as of set besitious pred is box Cl and alteon	Totalog 3	Nece	of the second second	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		eddilional Iorm Indicalla
	뉱	Address: Prone 027.77	imary Baneficlary[leg] D ane the following person(s) or in the ceusiming primary beneficient enert claritation.	Sandidata Barro Goop Car Todde	The second secon			ntingent Beneficiaryte me he following serents) < tecesses ne (if any contings ton" unlose you chock (*) th	Benelloury Name	Burney Pearle	*		Date: 425 Dar	the currend more space places attent as additional form Indicating your designations.

### Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page Sept. 50er Rage 10:1798

Referral From:	Eileen		
		s referral suggested on a Senior phone line call?	No.
Date:	12/22/15	Has this been submitted to a Senior previously?	No.
Insured's Name:	TRACY CRAWFORD	Claim Number/GLB # 21412010327	
Date of Due Proof:	1/21/2015	Group Name: SOUTHWEST AIRLINES	
Beneficiary Name:	COOPER BURNETT	Dollar Amount: \$431,000.00	
Coverage's:	₩ Optional		
*		n,uncuerum na	
	***************************************		
On Line Plan #:	5107447		
Calligo Link of Plan Gosuments:	http://celligodocsvosriso/Cel	iligoDMS/livelink.ave/fetoN/2001/258146/1862649/186	1412/151053028/151(
by special lostructions for viewing			
Plan Documents on Califgo:	Ed	\$ + 5 mm There ( 4 m T T T T T T T T T T T T T T T T T T	16 16 16 17 16 17 16 17 18 18 18 18 18 18 18 18 18 18 18 18 18
Was Man Document Ref	ferenced in the SPD Folder?	Yes Comment 8:05	
Sources Referenced:	194 - 24 Ha 29 A 2 F 2 A A F 4 B 4 B 4 B 4 B 4 B 4 B 4 B 4 B 4 B 4	Section of the sectio	
X.	***************************************	and the control of th	******
Name of Proced	lure Referenced on ILCL:		
Pages in DIT to Review;	mennya minana	Are areas referenced below i	nighlighted in DIT?
esic and or Optional			***************************************
lssue:{			
	\$1744177WWWWWWW	4-1-1-1	AND COMMENTS
		i	***************************************
olfanni 			Marine tendermanning
lssue; į	***************************************	<u> </u>	THE PERSON AND ADDRESS OF THE PERSON ADDRESS OF THE PERSON AND ADDRESS OF THE PERSON ADDRE
	Plan Languag	e: Copy & Paste from SPD	***************************************
eotive June 15, 2013, paper life ha signations as described immediate reficieny survives You, then the Ins	nce Beneficiary Designation mi surance designation forms will n ily below. (pg. 115) plan doc surance Center will pay in order	ast be completed through the MetLife web site at www.metifier of the accepted by the Health & Wellness Team except for C if You do not name a beneficiary for the Life insurance and A to (i) Your surviving Spouse (or if in BenefitsPlus Your surviving parents in equal amounts, (iv) Your surviving brothers of	ommitted Partner USD Program or If no Ving Committed
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	mona van diseaste de la	and the state of t	A STATE OF THE PROPERTY OF THE
			***
	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
Minimum and a second		Summary scompleted prior to the date of 06/15/2019 when they no long	Minister recommendation
waver this is a valid designation fol the insused. He is now alsoming to	ith on file with the firm and acce or the spouse indicating the spor cording to the firm there is no de	sopisd as vaid. The attry for the spouse has acknowledged i use and the insured did an online designation form on 09/26 usignation form on the that names the spouse. The atmy for	this designation form V2011 naming the
			7.

Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17	Page 9set:50r=Page 15-7799
Insured's Name: TRACY CRAWFORD Claim Number/GLB #:21412010327	
	***************************************
	***
	***
Suggested Handling	Driving and a second
Suggest advisament if densit to the apouse as not named bene would be defanable	Description of the state of the
	44444
	VACABA
	1
	4444
	http://www.magit
Patra of Roll v	**************************************
Course of Action  The only behe designation on file is from 2009 naming Cooper Burnett. The Plan is ERISA regulated and Med life's obligation is to the designa-	ated §
beneficiary. Draft a deniel to the spouse as not the named beneficiary on the only beneficiary designation on file dated 42.57.2008. Letter should be designation on file dated 42.57.2008. Letter should be designation on file dated 42.57.2008 to enter should be designation on file dated 42.57.2008 to enter should be designation on file dated 42.57.2008. Letter should be designation on file dated 42.57.2008.	
Group Life barrefit. Include perfection language to provide any evidence the life insurance beneficiary was electronically changed in 2011 to a an appeal.	support
	*****
	****
	The section of the se
	21
Senior Handling: Jason	
Date Handled: 1/23/2015	
Pages Reviewed By Senior: All .	
Management and the second seco	
Has Claims Been Sent to Medical Department: No	
REDITIONAL MEGRESITION	the same and the s
	***
	* d.
	***************************************
	4 500
	17774
	41,04
	Charles and the Charles and th



Metropolitan Life Insurance Company Group Life Claims P.O. Box 6100 Scranton, PA 18505 NOT FOR SERVICE OF LEGAL PROCESS

February 2, 2015

Sanders, O'Hanlon, Motley & Young, P.L.L.C. 111 South Travis St Sherman, TX 75090

RE: Plan Participant: Tracy Crawford (decedent)

Plan Name & Group No.: Southwest Airlines 149670

(Basic & Optional Life Insurance)

Claim No.: 21412010327 Your Client: Jayson Crawford

#### Dear Attorney Young:

We have evaluated your claim for the above referenced benefits. For the reasons detailed below, we must deny your clients claim.

The Plan is an employee welfare benefit plan regulated by the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. §§ 1001-1461. MetLife, as claims fiduciary, must administer claims in accordance with ERISA and the documents and instruments governing the Plan. ERISA defines beneficiary as a "person designated by a participant, or by the terms of an employee benefit plan, who is or may become entitled to a benefit thereunder." 29 U.S.C. § 1002(8).

According to our records, the latest beneficiary designation on file that was completed by the decedent on April 25, 2008 does not name your client as the beneficiary of the Plan benefits. The beneficiary designation that is on file with the employee records is a valid beneficiary designation for the Plan benefits at issue. You state that according to your client, Ms. Crawford updated her beneficiary records to name your client on or about September 26, 2011. There is no record of any change of beneficiary on file with the employee records after the April 25, 2008 beneficiary designation. Your client would not be considered eligible for payment as the first eligible heir unless there was no valid beneficiary record on file at the time of Ms. Crawfords death.

Since your client was not named as beneficiary of the Plan benefits and not considered in the line of succession due to there being a valid beneficiary designation on file that does not name him, based on the record before MetLife, we must deny your clients claim.

Under ERISA, you have the right to appeal this decision within sixty (60) days after the receipt of this letter. To do so, you must submit a written request for appeal to MefLife at P.O. Box 6100, Scranton, PA 18505. Please include in your appeal letter the reason(s) you believe the claim was gli311 rev.0005

Case 3:16-cy-02402 B Document 56-1 Filed 07/07/17 Page 11 of 50 Page ID 801 improperly denied, and submit any additional comments, documents, records or other information relating to your claim that you deem appropriate to enable MetLife to give your appeal proper consideration. Upon your written request, MetLife will provide you with a copy of the records and/or reports that are relevant to your claim.

MetLife Group Life Claim Appeal Committee will carefully evaluate all the information and advise the claimant of its decision within sixty (60) days after the receipt of the appeal. If there are special circumstances requiring additional time to complete the review, we may take up to an additional sixty (60) days, but only after notifying the claimant of the special circumstances in writing. In the event the appeal is denied in whole or in part, the claimant has the right to bring a civil action under Section 502(a) of ERISA.

If you would like us to reconsider your claim, in support of your appeal, please provide us with any documentation which evidences that your client was named as beneficiary by the Plan Participant for the Group Life Insurance and documented on file with the Employee records along with your written appeal.

If you have any questions, please contact our office at 315-792-6843.

Sincerely,

Group Life Claim Examiner Group Life Claims Operations

gli311.rov.0005

2015 - 02 - 08

MetLife Claims Team

Pages including fax form

3 pages

Fax # 570 558 8645

From The Estate of Tracy Crawford.

To: MetLife Claims Team

Claim: 21412010327

Date: 2-4-15

Insured: Tracy Crawford

SS# 455 13 9959

Southwest Airlines # E16928

From: Tracy Crawford's Estate

Address 1114 14th ST Galveston TX 77550

Phone: 281 901 9338

Tracy Crawford's Estate is contesting the pay out to anyone other than the husband or to the Estate. Tracy Crawford's Estate has been requesting the life insurance plans from Southwest Airlines benefits, health and wellness department for several weeks. We just received the two plans Southwest Airlines use. 1) The Life Certs Benefits Plus Plan, your Benefits plan. 2) The Work Perks, Southwest Airlines health and wellness, Southwest Airlines Co Welfare Benefits Plan Summery Description 2014.

These are the two plans made available to all employees to view. These are the two plans Southwest benefits department gave Tracy Crawford to view in regards to her new life insurance policy with MetLife. These plans outline detail such as, state law being used to govern the plan and policy, to Southwest not using or accepting paper beneficiary forms anymore with Southwest's benefits, health and wellness department. The plan also outlines a beneficiary designation and the order in which it falls if none is listed on the policy with MetLife.

Both plans clearly state that they use state law to govern the plans and policy. The second plan makes it perfectly clear it is using Texas State law on page 4, to govern the plans and the policy. Texas is a community property state. If there is no Beneficiary designation on the new policy then, Tracy Crawford is expecting the policy to follow and go to the spouse under Texas law.

Both Plans clearly state that the new policy with MetLife must have a beneficiary designation made with MetLife and no longer with Southwest Airlines benefits department. Plan 2 clearly states all beneficiary updates or designations are to be done with MetLife and MetLife alone. As of June 15<sup>th</sup>, 2013 Southwest Airlines benefits health and welfare department are no longer using paper beneficiaries (plan 2, pages 115).

٥ 1 5

0

2

0 5

Both plans clearly state that, if there is no designated beneficiary on the policy with MetLife it pays according to the plan. 1) The spouse. 2) Children. 3) Parent. 4) Brother or Sister. 5) The Estate. (Plan I, pages 77 and Plan 2, pages 122). Plan I, page 77, also clearly states the Estate should be paid to resolve this matter.

Nowhere in plan 1 or in plan 2 does it clearly state that, If no beneficiary was made with MetLife on this new policy, that MetLife would revert back to Southwest Airlines benefits department for any old STALE beneficiaries made prior to this new policy. In fact both plans tell you and give you the full impression, if the benefiary is not designated with MetLife; MetLife pays out according to plan 1 page 77, and plane 2 page 122. Also see plan 2 pages 115. Southwest States they are no longer using paper beneficiary designations. This gives the full impression these are no longer valid or in use.

By Tracy Crawford electing not to designate a beneficiary with MetLife on this new policy, she believed the beneficiary payout was what was written in both plans according to the payout schedules. See both pay out schedules, plan 1 page 77 and plan 2 pages 122. Again, nowhere does it state if left blank MetLife would revert back to Southwest Airlines benefits department for any old paper beneficiaries. It clearly states it uses the two payout schedules in the plans only.

MetLife needs to honor the two payout schedules listed in both plans, or pay the Estate.

Both, Tracy Crawford and Tracy Crawford's Estate are expecting the policy to pay as follows according to the plans, with no beneficiary, with MetLife (Plan I, pages 77 and Plan 2, pages 122). Again plan 1 clearly states, the Estate should be paid to resolve this matter with out issue.

Please contact the Estate of Tracy Crawford so we could get this resolved.

## Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 15 of 50 Page 10 805

Referral From:	Amy Brennan		
Date:	pant pant name and name and and the first name of the first name o	s referral suggested on a Senior phone line cail? Has this been submitted to a Senior previously?	No No
Insured's Name:	TRACY CRAWFORD	Claim Number/GLB #: 2141201032	7
Date of Due Proof:		Group Name: SOUTHWEST AIRLINES	
Beneficiary Name:	COOPER BURNETT	Dollar Amount: \$431,000.003	
Coverage's:	⊠ Optional		
	en aan keessa kan kan kan kan kan kan kan kan kan ka		
On Line Plan #:	6107441		
Calligo Link of Plan Documents:	http://ceBigodposyceriso/Cal	hgoDMS/hvelink.exe/retoh/2001/258146/1862649/185	2412451053085451(
Any special instructions for viewing Plan Documents on Callings:	and a manifed in this same time hand a grant production from the first of the first		destablished lands to respect to one to a
Was Pian Document Re	ferenced in the SPD Folder?	Yes Comment 6:08	
Sources Referenced:		·····································	
Name of Proces	lure Referenced on ILCL:		
Pages in DIT to Review:		Are areas referenced below	highlighted in DIT?
Smets and or Optional Issue:		beechersdayed	
Oprioresi Issue:		in ordinal free	***************************************
taomer f	يهوي والمراجعة	3	ndssace-reversacea <sup>©</sup>
	Plan I anguag	e: Copy & Paste from SPD	***************************************
Effective June 15, 2013, paper ite in designations as described immediate beneficiary survives You, then the in	nce Beneficiary Designation mo surance designation forms will r sly below. (pg 115) plan doo surance Cemer will pay in order	ust be completed through the Mail fe web site at www.mails not be accepted by the Health & Welfness Team axcept for if You do not name a beneficiary for the Life insurance and to (i) Your surviving Spouse (or if in BenefitsPlus Your surviving brothers wing parents the equal amounts, (iv) Your surviving brothers	Committed Pariner AD&D Program or if no Wing Committed
			tenen berretere et et en
***************************************		Summery	
ivaid designation form on file with the He is now delining for the spouse in bi and optitle. According to the firm	ifirm and accepted as valid. To dicating the spouse end the inst there is no designation form on louse. Derivat was sent 02/02/Z low have the Plans and the Plans	SUMMELY the date of 08/15/2013 when they no longer old paper form the attry for the spouse has acknowledged this designation; and did an ordine designation form on 09/26/2011 naming file that names the spouse. The attry for spouse is indications when the spouse is the spouse at letter from "Trace" is that a trace at the state law governs the plan and policy and that "states that state law governs the plan and policy and that "	tomo by the insured. If the spouse jayson for inglishing we are not to make in the construction of the con

## Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 16 of 50 PageID 806

Insured's Name: TRACY CRAWFORD	Claim Number/GLB #: 21412010327
The letter also stated that the Plans state the the new policy with Met	We must have a bane on the and only well its and no inviter with SIM As because
(Dept. They state that no where does it state that MetLife would revert idestonate a bane with Metlife she belied that the bane payout would	back to the SW beneficiary designation and by the employee not electing to the following the LOS, Letter requests payout to either spouse or the Estate.
Service and the service and the service and service an	and responsible out cover reside technologic bullots or minim director of the Catalian
Suga	ested Handling
Advise if we are considering this as an appeal by Javson OR, write to	refer him to his Alfornay as our Feb 2 inferrious sent to the Attempy that
trebresents him. Appears this letter is written by the shouse, layen as	arms as the first letter we received in the file he is represented by any man
LASO need to know Ork, are we considering this a claim made by Jay's Layson as an individual only.	on on behalf of the Estate. The first initial denial denied the daim being made by
• • • • • • • • • • • • • • • • • • • •	
<b>E</b>	
•	
4	
**************************************	مهور هوا دوا دوا دوا دوا دوا دوا دوا دوا دوا د
Cou	rse of Action
The letter is not signed; however states it is from the Estate of Tracy C	Dawford. We have no documenation to show who the Est rep is. Agree to dreft
ian initial dehial to the attry on behalf of the Estate. The section about Inclinities accepting paper designations: It does not state was are no b	state law governing in the Plan Doc is for privacy laws. The Plan also states it is nger honoring the designations already on file. Draft an initial appeal and refer to
the sis for review.	riger noticing the designations aready on the Disht an India; appeal and refer to
	,
	***************************************
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
Senior Handling: KayDee	
A STATE OF THE PROPERTY OF THE	
Date Handled: 2/9/2015	
Pages Reviewed By Senior:	
Line Philips Dan Coulde Healtast Burger	The state of the s
Has Claims Been Sent to Medical Department:	Yes
ADDITIONAL INFORMATION	
	The state of the s
	<b>\$</b>
1. 2. 6. 1. 6. 1. 6. 1. 6. 1. 6. 1. 6. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	A CONTRACTOR CONTRACTO
•	****
:	
1	7,643
,	<b>9</b>

V.13.2

111 S.Travis St. Sherman, TX 75090 (903) 892-9133, fax (903) 892-4302

DATE:

February 11, 2015

NO. OF PAGES 4

RE:

**Tracy Phillips Crawford** 

TO:

**Group Benefits Administrator** 

FAX#:

570-558-8645

FROM:

Jennifer Beyer, Assistant to J. Michael Young

**MESSAGE:** 

Attached please find correspondence from

Mike Young.

THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IS THE ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW, IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE TRANSMISSION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION. DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TRANSMISSION TO US AT THE ABOVE ADDRESS VIA U.S. POSTAL SERVICE, THANK YOU.

If you do not receive all pages, please call

#### SANDERS, O'HANLON, MOTLEY & YOUNG, P.L.L.C.

LAWYERS:

ROGER D. SANDERS LMICHAEL YOUNG LAURA GALLARDO

111 South Travic Street Sherman, Texas 75090 Office: (903) 892-9133 Fax: (903) 892-4302

www.somlaw.ner

LAWYERS:

ANTEONY O'HANLON P.C. LUKE MOTLEY, IV\* EFFENDAR T. REDDY\*

Of Course

February 11, 2015

Attn: Claim #21412010327 Metlife Group Claims PO Box 6100 Scranton, PA 18505

VIA FAX (570) 558 8645 AND VIA CERTIFIED MAIL

Insured:

Tracy Phillips Crawford

Date of Death:

12/15/2014

CLAIM #:

21412010327

Dear Metlife Group Life Claims Examiner:

As you are aware, I represent Jayson Crawford regarding his claim to group life insurance benefits from his deceased wife, Tracy Crawford. His wife had basic and supplemental life insurance policies through Southwest Airlines.

I have reviewed your letter of February 2, 2015, pertaining to the claim by Jayson. Crawford This response will serve as a formal appeal of that letter.

As the letter notes, an ERISA life insurance plan must be administered in accordance with the controlling plan documents. However, in reviewing the letter, I am struck by the complete absence of any reference to the actual terms of the ERISA plan at issue. The letter asserts that the 2008 designation "is a valid beneficiary designation for the Plan benefits at issue." I would expect that assertion to have been followed by a comparison of that document to the specific terms of the plan. But such support is lacking. Frankly, it is even not clear from the letter if Metlife, as ERISA administrator has even reviewed the purported designation, as opposed to just relying from second hand information from Southwest Airlines. Thus, the "our records" reference in your letter may be misleading,

1

The letter does not contradict what Southwest Airlines has told my client: that the 2008 designation was not made for the particular policy offered and administered by Metlife. Instead, it was made for a prior policy/plan offered and administered by The Standard or by the Colonial. According to my client, such designation may have been made for an AD&D policy, which Tracy subsequently cancelled. If Metlife contends that what my client was told was factually incorrect, I request that Metlife provide me a copy of the 2008 designation, along with the date that Metlife began offering the group life insurance plan through Southwest Airlines.

Based on the understanding that the 2008 designation was through an entirely different plan/policy, an examination of the terms of the CURRENT plan/policy compels a result that my client receive the life insurance benefits. Specifically, the Southwest Airlines Co. Welfare Benefit Plan, "Summary Plan Description" provides as follows:

Beneficiary Designation: Life Insurance Beneficiary Designation must be completed through the MetLife web site at www.metlife.com/mybenefits. Effective June 15, 2013, paper life insurance designation forms will not be accepted by the Health & Wellness Team except for Committed Partner designations as described immediately below. (p. 115)

BENEFICIARIES: When You Enroll in the Life and AD&D Insurance Program, You must name a beneficiary who will receive Your benefit if You die. You may name anyone You want. You must name one or more primary beneficiaries (who receive Your benefit first) and one or more contingent beneficiaries (who receive Your benefit if Your primary beneficiary dies before receiving it). Your beneficiary designation must be the same for Life and AD&D Insurance death benefits. (p. 122)

Note that there is no reference to carrying forward or acknowledging designations made for a prior plan/policy. Instead, reference is made to a beneficiary designation that "must be completed through the MetLife web site." (emphasis added) Therefore, according to the specific terms of the plan, any designation made in any other manner would not be given effect through the current plan. Again, if Metlife contends that the 2008 designation was made by Tracy Crawford through the MetLife web site, please provide evidence of same.

The plan specifically sets out how the benefits are to be paid if a designation is not made in accordance with the plan terms:

If You do not name a beneficiary for the Life Insurance and AD&D Program or if no beneficiary survives You, then the Insurance Carrier

2.

will pay in order to (i) Your surviving Spouse (or if in BenefitsPlus Your surviving Committed Partner), (ii) Your surviving children in equal amounts, (iii) Your surviving parents in equal amounts, (iv) Your surviving brothers or sisters in equal amounts, or, finally, (v) Your estate.

By the very terms of the plan at issue, my client, as the surviving spouse, is entitled to payment of the benefits. Therefore, he makes demand that Metlife make payment to him, through this firm.

At minimum, Metlife should avoid potential liability for double payment by not paying the proceeds to anyone other than Jayson Crawford. I direct your attention to *Poindexter V. Miller*, 2010 WL 1009695 (W.D. Penn. 2010). That case suggests that my client has a viable state law negligence claim against Metlife should it pay someone else while on notice of my client's claim to the benefits.

My client is mindful that Metlife may be facing competing claims and does not want to risk a determination for one claimant that could expose it to double payment down the road. Therefore, my client is comfortable with Metlife deciding that the determination of the proper beneficiary should be left to a federal court and filing an interpleader action in Texas.

However, before Metlife files the interpleader, it may be that the interested claimants would rather reach an agreement rather than incur the expense and uncertainty of years of litigation. Therefore, Metlife is authorized to provide my contact information to any other claimant or their attorney.

We look forward to your timely response.

Sincerely,

J. Michael Young

cc: client

## Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 21 of 50 Page D 811

Referral From: Amy Brennan	
The state of the s	VO.
Date: 02/16/15 Has this been submitted to a Senior previously?	No.
Insured's Name: TRACY CRAWFORD Claim Number/GLB #: 21412010327	State Control of the
Date of Due Proof: Group Name: SOUTHWEST AIRLINES	
Beneficiary Name: COOPER BURNETT Dollar Amount: \$431,000.00	
Worked galantees and assessment and the product made to be confined and the confined and th	
Coverages: Si Optional	
On Line Plan # 5107441	
Calligo Link of Plan Documents: Mitt://calligodocsvosriso/CalligoDMS/livelink.exerteion/2001/258146/1662645/1862417	DI STORROSSICETT
THE PROPERTY OF THE PROPERTY O	711V 1000100 1311
Any special instructions for viewing Plan Decuments on Calligo:	
**************************************	POTENTIAL PROPERTY CONTRACTOR & CONTRACTOR &
Was Plan Document Referenced in the SPD Folder? Yes Comment 高松多	
Cat was 3	
Sources Referenced:	
Name of Procedure Referenced on ILCL:	And the second s
Pages in DIT to Review.	dighted in DIT?
there is no been a few transfer of the state	and the second
Seets and or Optional Issue:	
Control of the contro	
Jasue:	mana
\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<b>~~~~~</b>
Plan Language: Copy & Paste from SPD  - Beneficiary Designation: Life insurance Beneficiary Designation must be completed through the MatLife web site at www.metite.com	Wholesand and the second
Effective June 15, 2013, paper life insurance designation forms will not be accepted by the Health & Wellness Team except for Countries	silter Darmer
designations as described immediately below. (pg 115) plan doc - If You do not name a beneficiary for the Life insurance and ADMI beneficiary survives You, then the insurance Carrier will pay in order to (i) Your surviving Spouse (or it in Benefits Pius Your surviving Comments).	Introduct §
Partner), (ii) Your surviving children in equal amounts, (iii) Your surviving parents in equal amounts, (iv) Your surviving broffners or state amounts, or, finally, (v) Your estate.	ars in equal
	***************************************
	All to have been been been been been been been be
	of the first statement of the statement
Summary	***************************************
Paper bene form on file is dated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. Ho	
valid designation form on fils with the firm and accepted as valid. The athry for the spouse has acknowledged this designation form by He is now claiming for the spouse indicating the spouse and the insured did an online designation form on 09/26/2011 naming the sp	
bl and opt life. According to the firm there is no designation form on file that names the spouse. The athy for spouse is inclosing we payment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a letter from "Tracy Crawf	are not to make
dated 02/G4/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is	
property state and therefore should pay to the Spouse.	120

## Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 22 of 50 Page ID 812

***************************************	
Insured's Name: TRACY CRAWFORD Claim Number/GLB #: 21412010327	
The letter also stated that the Plans state the the new policy with Mettife must have a bone on file and only MetLife and no longer with SW Air benefits	
Dept. They state that no where does it state that MetLife would revert back to the SW beneficiary designation and by the employee not elacting to designate a bene with Metlife she belived that the bene payout would be following the LOS. Letter requests payout to either spouse or the Estate, Letter	
is drafted for initial denial for estate's olalm, RE-REFER- since the time I sent the drafted denial for the estate's daim we received an appeal from the	T.
atterney for the initial denial to the apouse. Letter states that support of reliance of the previous bene form is lacking and also refers to a case under	
state law and also wants us to file an interpleader.	
	E .
	200
	aš
Suggested Handling	7
Agree that his client, spouse of the employee, was not named and not entitled in LOS as there was a beneficiary designation on file, even though the	4
benefictaries were to be done online as of 98% 5/2013 that did not void the paper beneficiary forms comently on the There is no Plan beneficially	į.
states the previous paper forms would no longer be valid. Agree to send a new denial letter which addresses these points and include denial to estate	
so this would be a new initial denial.	
	•
Course of Action	î.
ER APPEALS, WE NEED TO CONFIRM WITH ADMIN THAT THE PREVIOUS DESIGNATIONS WERENT REVOKED, ONCE THEY CONFIRM	aj S
HAT, THEN WE ARE GOING TO UPHOLD THE DENIAL TO THE SPOUSE, AS THE ESTATE IS ALSO MAKING A CLAIM CNICE ADMIN	
CONFIRMS THAT PRIOR DESIGNATIONS WERENT REVOKED, THEN WE CAN ALSO DRAFT A DENIAL LETTER TO THE ESTATE AND GIVE	2
PPEAL RIGHTS.	į
	****
	1
	2
	1
	ž Į
Caniar HomalBurgi (Cherchen	
Senior Handling: Charles	
Date Handled: 2/19/2015	
Marie 1344 5 1542 € 11 141 € 11 € 11 141 € 11 €	
Pages Reviewed By Seniot: All	
· · · · · · · · · · · · · · · · · · ·	
Has Claims Been Sent to Medical Department: No	
To the second se	
ODITIONAL INFORMATION	
And the state of t	
	i
	:
·	

V.13.2

# **Me**lLife

### FAX COVER PAGE 03/17/15 09:31:57 AM

To:

DIT

Fax Number:

5702071701

From:

Phone Number: Fax Number:

- ----

Subject:

FW: LCI Escalation-Status Update needed-Claim number

21412010327

Pages (including cover):

5

if there are problems with this facsimile call:

#### Message:

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations

Sent: Monday, March 16, 2015 1:47 PM

To: Brennan, Amy

Subject: FW: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Amy,

I am returning to you to continue with your review and refer to continue with review of the appeal. ADMN confirmed if there is no designation completed online, it reverts back to the paper designation, they were not considered no longer valid.

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown⊚metlife.com

From: McGuire, Larry

Sent: Monday, March 16, 2015 1:43 PM To: Ins\_Oriskany\_Glif\_MPM\_Escalations

The Information contained in the following pages is privileged, confidential and intended only for the individual named above. ANY OTHER USE, DISSEMINATION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND IS TORTIOUS INTERFERENCE WITH OUR CONFIDENTIAL BUSINESS RELATIONSHIPS. If this document was erroneously sent to you, please inotify us immediately at the number listed above and then destroy this document.

Cc: Melillo, Nicholas; Brennan, Arny Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Rebecca

The Cert and the SPD are silent on the matter. The only mention is that paper will no longer be provided after 06/01/2013 and all future changes will need to be made on our website.

#### Thanks

Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 – Voice|518-953-1748 -Fax

Imcguire@metlife.com

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations
Sent: Monday, March 16, 2015 12:37 PM
To: McGuire, Larry
Cc: Melillo, Nicholas; Brennan, Amy
Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Lany.

I'm following to see if you found out on any communications. Your email below indicated you were checking on any communications that may have been sent.

Please advise

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

From: McGuire, Larry
Sent: Wednesday, March 11, 2015 8:40 AM
To: Ins\_Oriskany\_Glif\_MPM\_Escalations
Cc: Melillo, Nicholas; Brennan, Amy

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Amy

No, if there is no bene on listed online with MetLife we revert back to the paper form that SWA had on file prior to the transition. I am double checking any communications.

#### Thanks

Larry D. McGuire|National Accounts|South Customer Unit Sr. Glient Services Consultant |972-246-3828 – Voice|518-953-1748 -Fax

Imcguire@metlife.com

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations
Sent: Wednesday, March 11, 2015 6:57 AM
To: McGuire, Larry
Cc: Melillo, Nicholas; Brennan, Amy
Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Larry,

Thank you for your response. Our question is, the designation in 2008 that names Cooper, was this designation revoked or considered no longer valid when the customer went to online beneficiary designations. If so, was there a communication sent to the insured advising the prior designations would no longer be valid if so, can we be provided with a copy of the letter.

I am showing the LCI is in your "My work" and that you opened the task on 3/10/2015 and you made a note in the note tab (Pend Task Reason) Legal

Please advise

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

From: McGuire, Larry
Sent: Tuesday, March 10, 2015 2:23 PM
To: Ins\_Oriskany\_Glif\_MPM\_Escalations
Oc: Melillo, Nicholas; Brennan, Amy
Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Good Afternoon

I do not show any outstanding LCI's, and I have answered this question in the past. There are no other bene forms with MetLife or with SWA.

#### Thanks

#### Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 - Voice|518-953-1748 -Fax

imcguire@metlife.com

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations
Sent: Tuesday, March 10, 2015 1:13 PM
To: McGuire, Larry
Cc: Melillo, Nicholas; Brennan, Amy
Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Larry.

Please provide a status on this LCI.

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

From: Brown, Rebecca
Sent: Thursday, March 05, 2015 9:02 AM
To: McGuire, Larry
Cc: Melillo, Nicholas; Brennan, Amy
Subject: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Larry,

Please provide a status update on a LCI for Tracy Crawford-Southwest Airlines-claim number 21412010327-LCI ID# 40942

We are currently reviewing an appeal based on a denial to a party not the named beneficiary. We need to know if the beneficiary designation that is attached in MPM dated 04/28/2008 naming Cooper the great nephew was revoked or considered no longer valid once the customer went to online designations. If so, was there a written communication sent to the employees regarding this. If so, are they able to provide that actual letter sent to the insured or a copy of the generic letter that was sent.

2015 - 03 - 17

Please advise. As we have an appeal, we need an answer so we can continue with the appeal review

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

## Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 28 of 50 PageID 818

Plan Documents on Catigo:  Was Plan Document Referenced in the SPD Folder? Yes Comment \$10.8  Sources Referenced:  Name of Procedure Referenced on ILCL:  Pages in DIT to Review:  Are areas referenced below highlighted in DIT?  Pages in DIT to Review:  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  energiage of Optional  Issue:  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT7  Are areas referenced:  Pages from SPD  Are areas referenced:  Pag	Referral From	: Amy Brennan		
Beneficiary Name: COOPER BURNET Dollar Amount: \$435,000.003  Coverage's: El Optional Dollar Amount: \$435,000.003  Coverage's: El Optional Dollar Amount: \$435,000.003  Coule Plan #: \$107441  Coulige Like of Fise Documents International Coule Plan #: \$107441  Coulige Like of Fise Documents Fish (International Couloge C	Date	: 03/17/15	s referral suggested on a Senior phone line call? Has this been submitted to a Senior previously:	No No
Beneficiary Name: COOPER BURNET Dollar Amount: \$433,000.00  Coverage's: Optional Dollar Amount: \$433,000.00  Could be like of Fire Documents on 16 1507441  Calley Like of Fire Documents on Critique: Was Plan Documents on Critique: Are areas referenced in the SPD Folder Yes Control of Critique: Page in DIT to Review: Area of Procedure Referenced on ILCL:  Page in DIT to Review: Area of Procedure Referenced on ILCL:  Page in DIT to Review: Area of Procedure Referenced on ILCL: Area areas referenced below highlighted in DITY with the Committed Particular States of Control	Insured's Name	:TRACY CRAWFORD	Claim Number/GLB #: 214120103	27
Coverage's: SOptional  On Line Plan #\$507441  Caligo Lisk of Plan Documents Interviewing Plan Documents Professional State of Plan Documents on Caligo:  Was Plan Document Referenced in the SPD Folder? Yes Commissional State of Proceedure Referenced on ILCL  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional in Security in Difference on the New York of the Security	Data of Due Proof:	SALAMORE CONTROL CONTR	Group Name: SOUTHWEST AIRLINES	
Coverage's: SOptional  On Line Plan #\$507441  Caligo Lisk of Plan Documents Interviewing Plan Documents Professional State of Plan Documents on Caligo:  Was Plan Document Referenced in the SPD Folder? Yes Commissional State of Proceedure Referenced on ILCL  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional  Issue  Plan Language: Copy & Paste from SPD  Are areas referenced below highlighted in DIT?  Are areas referenced below highlighted in DIT?  Pages in DIT to Review;  Pages in DIT to Review;  Are areas referenced below highlighted in DIT?  Seeks and or Opional in Security in Difference on the New York of the Security				
On Line Plan #\\$107441  Culligo Lisk of Plan Documents in hit in his blood control of the SPD Polder? Yes Comment in infrarctions for visioning Plan Documents on Carigo:  Was Plan Documents on Carigo:  Was Plan Documents Referenced in the SPD Polder? Yes Comment SIDS  Sources Referenced:  Name of Procedure Referenced on ILCL:  Prages in DIT to Review:  Are areas referenced below highlighted in DITY?  Internal Issue:    Plan Language: Copy & Passis from SPD	Beneficiary Name	COOPER BURNETT	Dollar Amount: \$431,000.00	
Callego Lisk et Plan Documents: http://www.initechnology.com/sitechnology.	Coverage's:	€ Optional	***************************************	-
Callego Lisk et Plan Documents: http://www.initechnology.com/sitechnology.				į
Plan Document Referenced in the SPD Folder? Yes Connected SIDS  Sources Referenced:  Name of Procedure Referenced on ILCI.:  Pages in Dit to Review:  Are areas referenced below highlighted in DITY  Plan Language: Copy & Pasts from SPD  Plan Language: Copy & Pasts from SPD  Issue:  Plan Language: Copy & Pasts from SPD  Issue:  Plan Language: Copy & Pasts from SPD  Plan Lan	On Line Plan #:	(5107441		
Was Plan Document Referenced in the 9PD Folder? Yes Controvert \$10.9  Sources Referenced:  Name of Procedure Referenced on ILCL:  Pages in Diff to Review:  Plan Language: Copy & Pasts from SPD  Issue:  Plan Language: Copy & Pasts from SPD  Issue:  Plan Language: Copy & Pasts from SPD  Issue:  Issue:  Issue:  Plan Language: Copy & Pasts from SPD  Issue:  Is	Caligo Link of Plan Documents:	http://cellicodcoevocriso/Call	http://www.ink.axe/retoh/2001/258146/1852846/18	82412/151053088/151(
Sources Referenced:  Name of Procedure Referenced on ILGL:  Pages in DIT to Review:  Are areas referenced below highlighted in DIT?  Pages in DIT to Review:  Are areas referenced below highlighted in DIT?  Pages in DIT to Review:  Are areas referenced below highlighted in DIT?  Pages in DIT to Review:  Page In DIT to Review:  Pages in DIT to Re	Any special instructions for viewing Plan Documents on Calligo:	- The ST PIPE AND		
Plan Language: Copy & Paste from SPD  Plan Language: Copy & Paste from	Was Plan Document Re	detenced in the SPD Folder?	Yes Comment 8108	A STATE OF THE PROPERTY OF THE
Plan Language: Copy & Paste from SPD  Plan Language: Copy & Paste from	Sources Referenced:			
Issue:    Pian Language: Copy & Pasta from SPD	Name of Proces	ture Referenced on ILCL:		
Plan Language: Copy & Paste from SPD  Plan Language: Copy & Paste from	Pages in DIT to Review:	\$	Are areas referenced below	v highlighted in DIT?
Plan Language: Copy & Pasts from SPD  Institute of Set Institute o	imin and or Optional	ing pelakhong panda na manamana ramanda bibah da		And the state of t
Plan Language: Copy & Pasts from SPD  Interesting the stream of the special plan does not be completed through the MetLife web site at www.metite.com/mybenetits.  Softwal Jane 15, 2019, paper life insurance designation forms will not be accepted by the Heath & Weiness Team except for Committed Partner signations as a described frammadately below. (pg 116) plan doe - if you do not name a beneficiery for the Life insurance and AD&D Program or if no selfolarly survives You, then the Insurance Cerrier will pay in order to (i) Your surviving Spouse (or if in Benefish Par Your surviving Committed ther), (ii) Your surviving children in aqual amounts, (ii) Your surviving parents in equal amounts, (iv) Your surviving brothers or eleters in equal counts, or, finally, (v) Your estate.  Summary  Let be be be form on the lie dated 04/25/2006 was completed prior to the date of 03/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as valid. The sitry for the spouse has acknowledged this designation form by the insured. It is now desting for this spouse indicating the spouse and the historial did an online destignation form on 09/20/2011 naming the spouse has not to make ment to anyone other than the spouse. Denial was earn the Plan states that state law givens the plan and policy and that Texas is a community of the spouse of the state of the plan and policy and that Texas is a community of the spouse of the plan and policy and that Texas is a community of the spouse and the Name of the Plan states that state we give man for a latter than the year of the Texas is a community of the spouse and the Plan states that state is a given the firm the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse indicating the spouse in the plan and policy and that Texas is a c	13546, {	we will be a second and a second		
Plan Language: Copy & Pasts from SPD  Interesting the stream of the special plan does not be completed through the MetLife web site at www.metite.com/mybenetits.  Softwal Jane 15, 2019, paper life insurance designation forms will not be accepted by the Heath & Weiness Team except for Committed Partner signations as a described frammadately below. (pg 116) plan doe - if you do not name a beneficiery for the Life insurance and AD&D Program or if no selfolarly survives You, then the Insurance Cerrier will pay in order to (i) Your surviving Spouse (or if in Benefish Par Your surviving Committed ther), (ii) Your surviving children in aqual amounts, (ii) Your surviving parents in equal amounts, (iv) Your surviving brothers or eleters in equal counts, or, finally, (v) Your estate.  Summary  Let be be be form on the lie dated 04/25/2006 was completed prior to the date of 03/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as valid. The sitry for the spouse has acknowledged this designation form by the insured. It is now desting for this spouse indicating the spouse and the historial did an online destignation form on 09/20/2011 naming the spouse has not to make ment to anyone other than the spouse. Denial was earn the Plan states that state law givens the plan and policy and that Texas is a community of the spouse of the state of the plan and policy and that Texas is a community of the spouse of the plan and policy and that Texas is a community of the spouse and the Name of the Plan states that state we give man for a latter than the year of the Texas is a community of the spouse and the Plan states that state is a given the firm the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse in the plan and policy and that Texas is a community of the spouse indicating the spouse in the plan and policy and that Texas is a c	ostin reni	Anna managananan ananya da	***************************************	
entificity Designation; Life insurance Beneficiary Designation must be completed through the Metille web site at www.metile.com/mybenefits.  potifice June 15, 2013, paper life insurance designation forms will not be accepted by the Health & Welfrest Feam except for Committed Patther signations as described himselfately below. (pg 115) plan do: - if You do not have a beneficiary for the Life Insurance and ADSD Program or if no inefficiary survives You, then the Insurance Carrier will pay in order to (i) Your surviving Spouse (or if in BenefitsPlus Your surviving Committed then), (ii) Your surviving children in aqual amounts, (iii) Your surviving brothers or sisters in equal counts, or, finally, (v) Your estate.  Summary  Were benefit form on file is dated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on file with the firm and accepted as valid. The ettiny for the spouse has acknowledged this designation form by the Insured. It designation form on 09/26/2011 naming the spouse jayson for hid ortifier. According to the firm there is no designation form on 09/26/2011 naming the spouse jayson for ment to anyone other than the spouse. Denigit we set not to make ment to anyone other than the spouse be plan where the Plans and the Plan states that stake law governs the plan and policy and that Texas is a community.		***************************************	***************************************	
entificity Designation; Life insurance Beneficiary Designation must be completed through the Metille web site at www.metile.com/mybenefits.  potifice June 15, 2013, paper life insurance designation forms will not be accepted by the Health & Welfrest Feam except for Committed Patther signations as described himselfately below. (pg 115) plan do: - if You do not have a beneficiary for the Life Insurance and ADSD Program or if no inefficiary survives You, then the Insurance Carrier will pay in order to (i) Your surviving Spouse (or if in BenefitsPlus Your surviving Committed then), (ii) Your surviving children in aqual amounts, (iii) Your surviving brothers or sisters in equal counts, or, finally, (v) Your estate.  Summary  Were benefit form on file is dated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on file with the firm and accepted as valid. The ettiny for the spouse has acknowledged this designation form by the Insured. It designation form on 09/26/2011 naming the spouse jayson for hid ortifier. According to the firm there is no designation form on 09/26/2011 naming the spouse jayson for ment to anyone other than the spouse. Denigit we set not to make ment to anyone other than the spouse be plan where the Plans and the Plan states that stake law governs the plan and policy and that Texas is a community.	***************************************	Plan Languaga	Conv & Pasta from SPA	And the state of t
Her bette form on the lated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as velid. The striny for the spouse has acknowledged this designation form by the insured, is now deliming for the spouse indicating the spouse and the insured did an ordine designation form on 09/26/2011 naming the spouse jayson for and optilife. According to the firm there is no designation form on the that names the spouse. The attry for spouse is indicating we are not to make ment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a latter from "Tracy Crawford Estate" and 02/04/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is a community.	eduve Julie 15, 20 iS, paper lie in signations as described tramadiate neficiary survives You, then the Ins	nos Beneficiary Designation mus surance designation forms will no ily below. (pg 115) plan doo • if surance Carrier will bay in order to	if he completed through the MetLife web site at www.met if he accepted by the Heath & Weitness Team except for You do not hame a beneficiary for the Life Insurance and to (i) Your staylying Spouse (or i'm Benefische Your ein	Committed Partner ADSD Program or if no
Her bette form on the lated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as velid. The striny for the spouse has acknowledged this designation form by the insured, is now deliming for the spouse indicating the spouse and the insured did an ordine designation form on 09/26/2011 naming the spouse jayson for and optilife. According to the firm there is no designation form on the that names the spouse. The attry for spouse is indicating we are not to make ment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a latter from "Tracy Crawford Estate" and 02/04/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is a community.		· · · · · · · · · · · · · · · · · · ·		***************************************
Her bette form on the lated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as velid. The striny for the spouse has acknowledged this designation form by the insured, is now deliming for the spouse indicating the spouse and the insured did an ordine designation form on 09/26/2011 naming the spouse jayson for and optilife. According to the firm there is no designation form on the that names the spouse. The attry for spouse is indicating we are not to make ment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a latter from "Tracy Crawford Estate" and 02/04/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is a community.				
Her bette form on the lated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as velid. The striny for the spouse has acknowledged this designation form by the insured, is now deliming for the spouse indicating the spouse and the insured did an ordine designation form on 09/26/2011 naming the spouse jayson for and optilife. According to the firm there is no designation form on the that names the spouse. The attry for spouse is indicating we are not to make ment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a latter from "Tracy Crawford Estate" and 02/04/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is a community.	13mbrla-resecutive(4 1-444-5-4446)))(15-5-14-5-5-4-7-5-5-4-14-6-6-4-4-4-4-6-4-4-4-4-4-4-4-4-4-4-	**************************************		
Her bette form on the lated 04/25/2008 was completed prior to the date of 05/15/2013 when they no longer did paper forms. However this is a designation form on the with the firm and accepted as velid. The striny for the spouse has acknowledged this designation form by the insured, is now deliming for the spouse indicating the spouse and the insured did an ordine designation form on 09/26/2011 naming the spouse jayson for and optilife. According to the firm there is no designation form on the that names the spouse. The attry for spouse is indicating we are not to make ment to anyone other than the spouse. Denial was sent 02/02/2015 via the Attorney. We have received a latter from "Tracy Crawford Estate" and 02/04/2015 stating that they now have the Plans and the Plan states that state law governs the plan and policy and that Texas is a community.	and the state of t		Summary	***************************************
· · · · · · · · · · · · · · · · · · ·	id designation form on file with the is now distining for the spouse ind ind opt life. According to the firm the riment to anyone other than the sport ad 02/04/2015 stating that they no	5/2008 was completed prior to the firm and accepted as valid. The cating the spouse and the Insure here is no designation form on fix puse. Denjal was serid 02/02/201 whave the Plans and the Plan st	e date of 05/15/2013 when they no longer did paper forms eithy for the spouse has acknowledged this designation ad did an ordine designation form on 05/26/2011 having e that names the spouse. The athry for spouse is indicate 15 via the Attorney. We have received a latter from "Tracy"	form by the insured. The spouse jayson for Ing we are not to make Crawford Estate"
·		: :		i i kirin

444444444444444444444444444444444444444
Insured's Name: TRACY CRAWFORD Claim Number/GLB #: 21412010327
The letter also stated that the Plans state the new policy with Medifie must have a bene on file and only Medifie and no longer with SW Ar benefits
Dept. They state that no where does it state that Meti. He would revert back to the SW beneficiary designation and by the employee and election to
Idesignate a bane with Metike she belived that the bene payout would be following the LOS. Latter requests nevert to either sportse or the Februs 1 aim
its drafted for initial denial for estate's claim, RE-RE-ER- since the time I sent the drafted denial for the estate's claim we received an arrived from the
featurney for the initial deniet to the spouse. Letter states that support of reliance of the previous bane form is lacking and also refers to a case under
state law and also wants us to fite an interpleader.
77.7
and the state of t
Suggested Handling
Agree that his client, spouse of the employee, was not named and not entitled in LOS as there was a beneficiary designation on its, even though the beneficiaries were to be done online as of 05/15/2013 that did not void the paper beneficiary forms currently on tile. There is no Plan language which
states the previous paper forms would no longer be valid. Agree to eard a new deniel letter which addresses these points and include denial to estate
so this would be a new initial denied. If has been confirmed via Adrian that if no betre online it reverts back to the paper betre that would already be on
tile. Online process did not void the paper bane's on tile.
Course of Action
Appeal review - Uphold denial to spouse. Confirmed the prior designations were not revoked. No such language in the plan, Language states going forward (2013) they do electronic designations and not paper. Does not invalid prior paper.
to to your control of the control of the paper. Does not availed that paper.
Senior Handling: Tim
Date Handled: 3/20/2015
Page Patrolega: JAMACO 19
Pages Reviewed By Seniot:
ya wasanan wa ya wa
Has Claims Been Sent to Medical Department:
AND MARKET TO THE PROPERTY OF
\$200700881
:
•

V.13.2

Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 30 of 50 PageID 820

# Life Insurance Claim Form

S	oranion, PA 18505-6100 Claimant's Statement 800-638-6420
	sured's Employer Name: <u>Southwest Airlines</u> sured Employee Name: <u>Tracu Chawford</u>
in su ac ca oti	order to process your claim as quickly as possible we need some information about you and about the deceased. Each beneficiary must brint his or her own Claimant's Statement. Return this completed Claimant's Statement to the Employer or directly to MetLife, in cordance with the instructions you received with this form. Be sure to include a certified copy of the death certificate that indicates the use and manner of death. A certified copy of the death certificate is one that has been certified by the local Bureau of Vital Statistics or her responsible agency, and bears a raised or colored seal. You can usually obtain one-from the funeral director who handled the angements. Only one death certificate need be submitted. Please note that original documents cannot be returned
	ditional Information if Beneficiary is a Minor:
be If a	no legal guardian is appointed to handle the minor's estate, a responsible adult should complete and sign the Claimant's Statement on half of the minor benoticiary. Be sure to complete Section A with information regarding the minor, not the party completing the form a legal guardian of the minor child's estate has been or will be appointed, the guardian must complete and sign the Claimant's Statement sure to include a copy of court-issued guardianship papers in the claim submission to MetLife.
Α,	Information about the beneficiary:
1	Your Name (please print in capita) letters or type) COOPCA 10DD BURNETT
	Maiden Name (If applicable) First ! Middle Initial Last
2.	Social Security No /TIN642 / 11 / 7286
3.	Date of Birth OCTOBEY 10 7001 Male Female
4	Country of Citizenship: USP
5	Phone Number Day (113 ) 241-9348 Evening (113 ) 241 - 9348 (Area Code)
б	Fax Number (optional) ( + ) -
7.	Mailing Address 8700 PLD BWW WB
	Number Street 11xas Apt/Box No. (frany)  Pasadena 11xas 11507
8	City State Zp  Relationship to the deceased  You are the Spouse Child Parent Other Nohow
9.	If you have signed a document with a funeral home (a funeral home assignment) that authorizes MetLife to make a payment directly to it, please attach the document and check here.
В.	Information about the deceased:
1	His/Her Name TRACY CRAWFORD
	Madde Initial Last  Madde Name (if applicable) PHIII PS
2.	Residence Address: III I IUM ST
	Number Street Apl (80x No. (if any) GALVESTON TX 17550
•	City State Zap  Mantal Status Single Married Widow/Widower Separated Divorced
3 4.	Date of Birth April 3 1910
	Mo* Day Year
	Social Security No. 11 55
6.	Certified copy of death certificate is attached (or was previously submitted)  If not attached, please explain

Page 1 of 2

7 If the decedent also held an individual life insurance policy with MetLife, please provide the policy number:

or call 1-800-838-5000 for information

DC-TCA5-DTP-ERS (05/12)

2	Case 3:16-cv-02402-B	21
5	Insured Employee Name: TVacy Chawford	
2015,03,23 2015,03,23 2015,03,23	C. Total Control Account (TCA)  Our standard payment method is in the form of a Total Control Account. A personalized draftbook and a kit that information about your TCA will be sent to you if an Account is established. Your TCA will be guaranteed by MetLife a TCA will be accessible to you when you need it. A check will be issued to you if required by state law, regulation or direct	include and you
2430	D. Estate Resolution Service (ERS)  Because your loved one participated in Mott find	
120031	Because your loved one participated in MetLife's group supplemental life insurance program, you are entitled, at no cost, advantage of the Estate Resolution Services. For more information regarding Estate Resolution Services and how to accommode the enclosed document titled MetLife Estate Resolution Services — Assistance in Probating the	to take ess the
	E. Delivering the Promise (DTP)	
	If a MetLife DTP Specialist assisted you with this claim, you may elect to have your check mailed to the Specialist, who will deliver it to you. If you wish to have the proceeds mailed to your DTP Specialist, please check the appropriate box below.  Deliver to DTP Specialist	il If no
	DTP Specialist Name	
	DTP Specialist Address District Agency Index (DAI)	
		<del></del>
	☑ Deliver to Beneficiary	
	F. Certifications and Signature:	**************************************
	By signing below, I acknowledge.	
	All information I have given is true and complete to the best of my knowledge and belief.  I consent to the pro rate deduction of any contributions owed by the insured from insurance proceeds paid to me.	
	determines that. (a) the total amount paid by MetLife on your claim is more than the total amount of benefits due to you und to made payment to you when the payment should have been made to you when the payment should have been made to undergrayment is not repaid, MetLife reserves the night to rely on any means to recover the overpayment, it agrees to repay MetLife the specifically overpaid funds. I further understand the treatment is not repaid, MetLife reserves the right to rely on any means to recover the overpayment, including the process.	ler at if
	I have read the applicable Fraud Warning(s) provided in this form. New York Residents: Any person who knowingly are not internated any insurance company or other person files an application for insurance or statement of claim contains or materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, officers and the stated value of the claim for each such violation.	
	nder penalty of perjury, I certify:  1. That the number shown on this form is my correct taxpayer identification number; and  2. That I am not subject to IRS required backup with both the control of th	
	income; and	!
	3. I am a US critzen, or a U.S. resident for tax purposes.  Please note: If item 2 or 3 above is not true, cross out the applicable item(s).	
_	he IRS does not require your consent to any provision of this document other than the certification to avoid backup withhold	ding
Ī	ease sign below. Include first and last name. If you are receiving a Total Control Account, this signature will be placed on the first and last name, the legal quarties or adult submitting this form.	
V	ans form fixes sign, not the minor	life
Ī	Mandy Mace	,
	Date Signed (	

Page 2 of 2

DG-TCA5-DTP-ERS (05/12)

Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 32 of 50 PageID 822

#### DENNIS M. SLATE\*

ATTORNEY AT LAW P.C.

112 E. FORREST

Deer Park, TX 77536

Tel: 281-476-9447

Fax: 281-476-5811

Mebssa Dennis Associate Attorney

Ryann Tighe Legal Assistant

Enn Rollins Legal Assistant

March 13, 2015

Via Certified Mail, Return Receipt Requested

Met Life P.O. Box 6100 Scranton, PA 18505-6100

RE-

FAMILY LAW

Insured

Tracy Crawford

Group No

0149670

Claim No

21412010327

Dear Sir or Ma'am:

Please find enclosed the following documents:

- A Certified Death Certificate for TRACY CRAWFORD, and
- Completed Clasmant's Statement

Do not hesitate to contact our office should you have any questions

Sincerely,

Dennis M. Slate

md.DMS

CC. Mandy Mace

#### DEPARTMENT OF STATE HEALTH SERVICES VITAL STATISTICS UNIT

	TEXAS DEPARTMENT OF STATE HEALTH SERVICES - VITAL STATISTICS DEC 17 2014								
	STATE OF TEXAS CERTIFICATE OF DEATH STATE FILE MUMBER 142-14-17							<u>-14-1/1498</u>	
	A management of personal reproductions and the factors to write which			ponten			2. DATE OF DEATH ACTUAL OF PRESUMED		
S	TRACY CRAMFORD  D SEX 4 DATE OF EVEN MAN AND IS ACCELER CONTANT			PHI	LLF3		DECE	MEER 15, 2016	
100	(foas)			ANG Caryo	F Mag	GR DAY	o umbracet	Coy & State or Foreign Country	
2	FEMALE APRIL 3, 1970 44 WACO, TX 7 BOGALSEQUINY NUMBER B MARIAL STATUS AT RISE OF DEATH LI MARIAL STATUS AT								
8	Contract Con							week them to the water the	
1	ACS-18 9999 JAYSON CRAWFORD JOS BROKEN ADDRESS ADDRESS ADDRESS ADDRESS ADDRESS ADDRESS ADDRESS ADDRESS ADDRE								
н									
ž	1114-14TH STREET TOO STATE			162		IGA OE	VESTON Trop reside only united		
*	GALVESTON TEXAS			}			[3] Yes	□ ra	
AL.	GALVESTON _ TEXAS		1	2 NOTHER STATES PER	77550 SCR TO REST MARRIAGE		1 -	· · · · · · · · · · · · · · · · · · ·	
2	HOLLIS W PHILLIPS PROBLEM SIMMONS								
iexas dzpantment cp statis health services— wtal statistics und	IF DEATH OCCURRED IN A HOSPITAL IF DEATH OCCURRED BY DEATH OFFICE TRANSPORTAL								
ž	18 hashers II special II and II Hospite Factly II fluming Hours II degree Home II degreedly								
2	TA COUNTY OF DEATH	25 CITY TOWN 29 (I	FOUTSIOS CITY LA	MIS, GIVE PRECIPOTE	D) 176 F/	CHILL HAVE IN W	Charleton, give stra	di Addiera d	
E	TO COUNTY OF DEATH IS CITY TOWN 210 (FOUTSIOS CITY LINES, GIVE PREDICTION) TO FACULTY HAVE OF REPORTED AND AND AND AND AND AND AND AND AND AN							ar contactory	
哥	GALVESTON GALVESTON, 77550 17 INFORMANTS MAKES RELATIONSHIP TO DECRASED 136			JOHN SEALY HOSE			PITAL		
ă	17 IRPORMANTS MAME & RELATIONSHIP TO DECEASED TO MADERIA ADDRESS OF INFORMANT (STORT AND PLEMES, CRYSSING OF DOCC)								
~	JAYSON CRAWFORD	HUSBAND	1114-	14TH STREET, GA	VESTO	N, TX 77550			
	☐ Bowies ☑ Crem		ACTING ASSECT	NO LICENSE AUNDÉIRC	it funciu	M.DIMECTOR OR P	ERSON IS	Z tinknown.	
		itemoval from state	CIANETO BY	# TANKETO M PAJ C			Serion		
	Other (Sprosty)		8428	I W CARNES IILBY ELECTRONIC SIGNATU			Sket		
	22 PLACE OF DEPOSITION (N	and of contenery, crematory, other plan	ie) 2:	LUCATION (CHATEWA	कार क्षेत्रीक्	<del></del>	let		
ğ	MAINLAND MEMORIAL OREMATORY			ITCHCCCK_TX		Space			
Ě	24 NAME OF FUNERAL FACILI	iY .	25	COMPLETE ACORESS	OF FUNG	CALENCILITY (SECO	Land Namper, Lay,	Salb, Zer Coccy	
ě	CARINES EROTHERS FUNERAL HOME GALVESTON 1201 TREMONT, SALVESTOR, TX 77550  ET CERREER (Checkon) 700)								
1	25 CERTIFIER (Check only one)	Farrice-Andrea Aprilla de Comenza de la come	managed and areas.						
5	Counting projected to the extention of the country and the country at the cou								
Too kapengity making a falso memerani in this forms and to 2-10 years in palson and Thockor illustic and Sokery Codo Sec. 198, 1988;	27 SIGNATURE OF CENTRER  NILUSON METHACHITIPHAN, SY ELECTRONIC						F DEATH Adventor production		
200	SIGNATURE.			DECEMBER 15, 2014 BP1-0049193				0410-834	
ě.	DECEMBER 15, 2014 18P1-0049193 O4 16 AM  STITUTE OF CASH SER LONG								
書品	NELUSON METHACHET TIDHAN 301 UNIVERSITY BLVD, GALVESTON, TX 77580-6859  IND PART I ENTER RE-CHANGE PURIS. DESENSE NUMBER DA COMPLICATION FROM THE DESTRUCTION FROM THE DESTRUCTIO								
£ 7	TERRINAL EVENTS SUCH AS CARDIAC ARBEST, RESPIRATORY ARBEST, OR VENTRICULAR PRIPIL ATION WITHOUT STRENGING THE CARD TO								
는 다음 다음	PREDICTE CAUSE (First								
13	REFRACTORY CARDIOGENIC SHOCK WITH MURTI ORGAN FAILURE							5DAYS	
200	E (nearby) in death)	Date to (at on a control venter of)					···		
A POR	Security set conditions  Due to far as to consequence of							1	
\$3	DINDERLIDES CAUSE  Address of ingary Ect  Add		Due to for us a consequence of						
Š	in depth) LAST	t	·						
9₽	Due to (of the commisquence of)							1	
33	d								
The partie of for king as the up to 19 170,000 a	AND SECTION OF SECULAR COMMISSION OF SECULAR SUIT FOR RESULTING IN THE BEOGRAPHIC SECULAR SHIP THE BEOGRAPHIC SECURAR SHIP THE SECURAR SHIP T								
	ST ELEVATION MI, LARGE SIZE MYCCARDIAL INFARCTION COMPLETE CAUSE GROSSING AND TO COMPLETE CAUSE GROSSING AND TO								
Ì	·	1 True Take							
	36 (MANUSER OF DEATH) 37 PO TOBACCO OSE CONTRIBUTE 35 IPPS			i energy				TATION SEASON	
	Acedes:	- L		स्वयुक्तान्त्रका स्थापन कृत्यन्त्रकः स्वयुक्तान्त्रका स्थापन कृत्यन्त्रकः			☐ Dover/Operator		
/	.□ Suešte □ Homicaše	177 MA 177 1		والمراش والمستوين والمراجع	it days of c	Persenger Persenger	-		
1	Pending levestigation	Probably Lidenove	City page	g S bud Sugary, wegat gast sind Using 'gang biodoustuk 43 casts Using 'gang biodoustuk 43 casts	e sa cher inc	ar Deficies of spotts	Cone (Spee	esi {	
	Could not be determined 40% DATE OF INJURY (some 40 y)	THE THE CETALURY 400 HE	1		-	kshome combunik	n see removemen w	Sectori annali	
	402 DATE OF HADDRY Cominde yyyyy 1400 THATE OF TRADERY AT WINDSY 1402 PLACE OF INJUSTY (6 C) Occordance before concentration and restriction, wedged word)								
8	400 LOOK/HON/Scient and stronger Corystains 2sp Code) 445 COUNTY OF FIXALIST							lfgr	
42									
	AT CASCRISE HOW ROUNT OCCURRED								
VS-112 FIEW 1/2008									
5	423 REGISTRAR FILENCE	REGISTRAR - GALVESTON COUNTY HEALTH DISTRICT.							
DE-2132 DECEMBER 17, 2014 ELECTRONICALLY PIPED									
	ETELNUMBER CONCOTESTEAT								

This is a true and correct reproduction of the original record as recorded in this office. Issued under authority of Section 191 051, Health and Safety Code

ISSUED

DEC 18 2014

GERALDINE R HARRIS STATE REGISTRAR

CHATING CHATING

#### 

From: Borelli, Andrew on behalf of SeniorReferral

Sent: Tuesday, April 07, 2015 11:57 AM

To: Brennan, Amy

Subject: RE: 21412010327 CRAWFORD LETTERS RUSH

Importance: High

Amy,

I discussed this claim with UL Patí Casey today. We do not need to send a separate denial for the Estate.

Apparently no Estate exists at this time, and as we didn't know who the letter of 2/5/2015 came from,

we encompassed our denial of Jayson Crawford's claim as well as the Estate's claim in our uphold denial

letter. We can proceed with review of the claim for payment if we have everything else we need, and if

Jayson Crawford files an Estate claim we can address with him via his attorney at that time. Thank you.

Andrew Borelli | Senior Claim Examiner MetLife Group Life Claims Operations T. 315 792 5856

From: Brennan, Amy

Sent: Thursday, April 02, 2015 2:33 PM

To: SeniorReferral

Subject: 21412010327 CRAWFORD LETTERS RUSH

Amy Brennan Examiner MetLife-Group Life Claims PO Box 6100 Scranton, PA 18505 1-800-638-6420 Fax 570-558-8645 From:

McGuire, Larry

Sent:

Tuesday, April 07, 2015 2:50 PM

To:

Brennan, Amy

Subject:

RE: LCI Escalation-Status Update needed-Claim number 21412010327

Amy,

Yes she met the actively at work requirements at time of death.

#### Thanks

#### Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 – Voice|518-953-1748 -Fax

#### Imcguire@metlife.com

From: Brennan, Amy

Sent: Tuesday, April 07, 2015 1:48 PM

To: McGuire, Larry

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Importance: High

Larry,

We resolved the LCI issue-sorry. I just used the same email to keep it all together.

As far as the date last worked, did the EE meet the Plan's definition of the actively at work upon their date of death?

Thank you for your quick response on this, trying to get it paid today.

Amy Brennan
Examiner
MetLife-Group Life Claims
PO Box 6100 :
Scranton, PA 18505
1-800-638-6420:
Fax 570-558-8645

From: McGuire, Larry

Sent: Tuesday, April 07, 2015 2:44 PM

To: Brennan, Amy

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Amy,

I cannot find this LCI. The last date worked would be the day prior to the hospitalization. SWA does not track last date worked.

#### Thanles

### Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 - Voice|518-953-1748 -Fax

#### Imcguire@metlife.com

From: Brennan, Army

Sent: Tuesday, April 07, 2015 1:10 PM

To: McGuire, Larry

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Importance: High

Larry,

We are getting ready to pay this claim and I need to verify the date she last worked. Death Certificate shows she was inpatient hospital yet the claim shows she last worked the day before her death. Can you get a verification for me on the day last worked as a rush please? I would like to send this to be reviewed for payment today.

Thanks

Tracy Crawford 455-13-9959

Amy Brennan
Examiner
MetLife-Group Life Claims
PO Box 6100

Scranton, PA 18505 1-800-638-6420 Fax 570-558-8645

From: McGuire, Larry

Sent: Wednesday, March 11, 2015 8:40 AM
To: Ins\_Oriskany\_Glif\_MPM\_Escalations
Cc: Melillo, Nicholas; Brennan, Amy

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Amy

No, if there is no bene on listed online with MetLife we revert back to the paper form that SWA had on file prior to the transition. I am double checking any communications.

# Thanks

# Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 - Voice|518-953-1748 -Fax

### Imcguire@metlife.com

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations

Sent: Wednesday, March 11, 2015 6:57 AM

To: McGuire, Larry

Cc: Melillo, Nicholas; Brennan, Army

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Larry,

Thank you for your response. Our question is, the designation in 2008 that names Cooper, was this designation revoked or considered no longer valid when the customer went to online beneficiary designations. If so, was there a communication sent to the insured advising the prior designations would no longer be valid if so, can we be provided with a copy of the letter.

I am showing the LCI is in your "My work" and that you opened the task on 3/10/2015 and you made a note in the note tab (Pend Task Reason) Legal

Please advise

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

From: McGuire, Larry

Sent: Tuesday, March 10, 2015 2:23 PM
To: Ins\_Oriskany\_Glif\_MPM\_Escalations
Cc: Melillo, Nicholas; Brennan, Arry

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

#### Good Afternoon

I do not show any outstanding LCI's, and I have answered this question in the past. There are no other bene forms with MetLife or with SWA.

# Thanks

## Larry D. McGuire|National Accounts|South Customer Unit Sr. Client Services Consultant |972-246-3828 - Voice|518-953-1748 -Fax

# Imcguire@metlife.com

From: Brown, Rebecca On Behalf Of Ins\_Oriskany\_Glif\_MPM\_Escalations

Sent: Tuesday, March 10, 2015 1:13 PM

To: McGuire, Larry

Cc: Melillo, Nicholas; Brennan, Amy

Subject: RE: LCI Escalation-Status Update needed-Claim number 21412010327

Hi Larry,

Please provide a status on this LCI.

Thanks Becky

Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

From: Brown, Rébecca

Sent: Thursday, March 05, 2015 9:02 AM

To: McGuire, Larry

Cc: Melillo, Nicholas; Brennan, Arny

Subject: LCI Escalation-Status Update needed-Claim number 21412010327

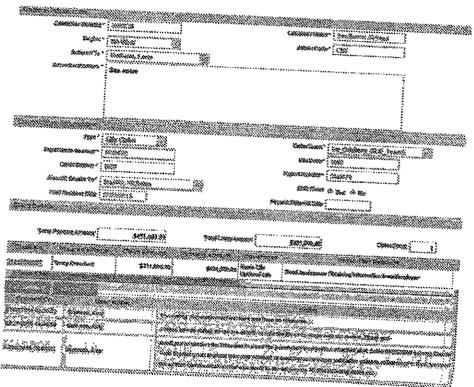
Hi Larry,

Please provide a status update on a LCI for Tracy Crawford-Southwest Airlines-claim number 21412010327-LCI ID# 40942

We are currently reviewing an appeal based on a denial to a party not the named beneficiary. We need to know if the beneficiary designation that is attached in MPM dated 04/28/2008 naming Cooper the great nephew was revoked or considered no longer valid once the customer went to online designations. If so, was there a written communication sent to the employees regarding this. If so, are they able to provide that actual letter sent to the insured or a copy of the generic letter that was sent.

Please advise. As we have an appeal, we need an answer so we can continue with the appeal review

## Thanks Becky



Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-5306 | F. 77

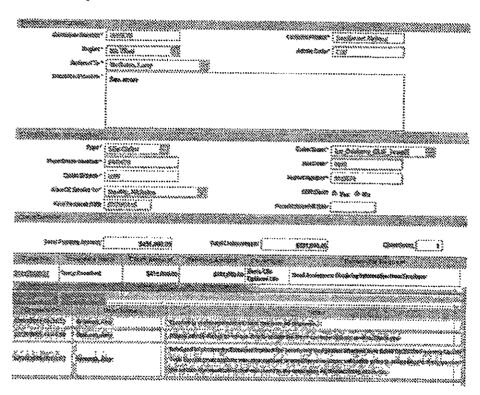
APP.039

Please provide a status update on a LCI for Tracy Crawford-Southwest Airlines-claim number 21412010327-LCI ID# 40942

We are currently reviewing an appeal based on a denial to a party not the named beneficiary. We need to know if the beneficiary designation that is attached in MPM dated 04/28/2008 naming Cooper the great nephew was revoked or considered no longer valid once the customer went to online designations. If so, was there a written communication sent to the employees regarding this. If so, are they able to provide that actual letter sent to the insured or a copy of the generic letter that was sent.

Please advise. As we have an appeal, we need an answer so we can continue with the appeal review

#### Thanks Becky



Rebecca A Brown| Claim Business Consultant | MetLife Group Life Claims 5950 Airport Road, Oriskany, NY 13424 | T. 315-792-6396 | F. 570-558-8645 | rabrown@metlife.com

# SANDERS, O'HANLON, MOTLEY & YOUNG, P.L.L.C.

LAWYERS:

ROCER D SANDERS I MICHAEL YOUNG LAURA GALLARDO 111 South Travis Street Sherman, Texas 75090 Office (903) 892-9133 Fax. (903) 892-4302

www.somiaw.net

LAWYERS:

anteony o'hanlon, P C \*
Luke Motley, IV\*
CPENDAR T KEDDY\*

\*Of Counsel

April 7, 2015

Attn: Claim #21412010327 Metlife Group Claims PO Box 6100 Scranton, PA 18505

VIA FAX (570) 558 8645 AND VIA CERTIFIED MAIL

Insured:

Date of Death:

Tracy Phillips Crawford

Date of Death: CLAIM #:

12/15/2014 21412010327

Dear Methife Group Life-Claims Examiner

I am writing in response to your letter of March 31, 2015 to Jayson Crawford. Please direct all future correspondence to Mr Crawford to my attention.

There is currently no estate proceeding pending for Tracy Crawford. Based on my review of the ERISA plan at issue, there is no need for an estate proceeding as Jayson Crawford would receive the proceeds as surviving spouse, since there was no valid beneficiary designation consistent with the explicit terms of the plan

Please note that the life insurance proceeds should be sent to my attention and made payable to my firm's trust account, pursuant to my agreement with Mr. Crawford

Sincerely,

J. Michael Young

2 1 3 1377 G

cc: client

हुन्द्राहरू दे करण १८८४ वर १५०००

e 71 -

# SANDERS, O'HANLON, MOTLEY & YOUNG, P.L.L.C.

LAWYERS:

ROGER D SANDERS T MICHARY, VOIDNO LAURA GALLARDO

111 South Travis Street Sherman, Texas 75090 Office (903) 292-9133 Fax (903) 892-4302

www.somiaw.net

LAWYERS:

anthony o'eanlon, P.C.\* LUKE MOTLEY, IV UPENDAR'T REDDY

\*Of Coursel

April 10, 2015

Attn: Claim #21412010327 Tim D Copperwheat Metlife Group Claims PO Box 6100 Scranton, PA 18505

VIA FAX (570) 558 8645 AND VIA CERTIFIED MAIL

Insured:

Tracy Phillips Crawford

Date of Death:

12/15/2014

CLAIM#:

21412010327

Dear Mr. Copperwheat:

I just received yesterday, via fax, your letter dated March 23, 2015.

Please send me as soon as possible a copy of the designation executed by Tracy Crawford on April 25, 2008 My client believes that was not a designation for this particular plan at issue.

As you know, ERISA requires a strict adherence to the terms of the plan. The terms of this plan state "Life Insurance Beneficiary Designation must be completed through the Metlife web site . . ." (emphasis added) The word "must" is mandatory and an interpretation to the contrary exposes Metlife to double liability should it pay the benefits in accord with a designation that was not "completed through the Methie web site."

I resterate that Metlife can avoid the possibility of double payment and be treated as an unnocent stakeholder if it interpleads the funds into a court.

J. Michael Young

Sincerely.

Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 43 of 50 PageID 833

AD&D Exclusions of herwise NFA Rival - Invalid Bene Designation  12/15/14  Vino fried the Appeal? Attorney  ERISA or NonERISA ERISA Pertinent page numbers in the administrative record displayed from the Hol View view on	GROUP LIFE APPEALS TEMPLATE						
Date Appeal Reviewed  Insured Last Name Crawford  Insured First Name Claim 8  124412010327  Is this an initial Appeal or 2rid Appeal Group Gustomer Name Department Rights  Group Life  Team Code R  Ding E samine Who diaffed Benial Letter Becky Brown Senior on Appeal Tim D Coppen/heat Type of Denial Dourrage or Bone Beneficiary  Coverage 3  Coverage 3  Feason Rival Reacon Details for Rival and AD&D E sclassions of the Wall Rival Reacon Details for Rival and AD&D E sclassions of the Wall Rival Reacon Details for Rival and AD&D E sclassions of the Wall Rival Reacon Details for Rival and AD&D E sclassions of the Wall Rival Reacon Details for Rival and AD&D E sclassions AD&D E sclassions Attorney  ERISA or Noriberis A  Fertificiat page numbers in the attinitist attive it a cord dis played.  Friting page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinitist attive it a cord dis played.  Friting the page numbers in the attinities of the page numbers in the pag	Date of Denial or Tempination	02/02/15					
Instreed First Name  Claims#  Is this or Initial Appeal or 2nd Appeal  Initial  Group Customer Name  Southwest Arrines  Department Source  Group Life  Team Code  R  Orig Examiner who dirafted Denial Letter  Serior on Appeal  Type of Denial Letter  Becky Brown  Senior on Appeal  Type of Penial - Soverage or Beneficiary  Coverage 3  Reason Betals for Reval and ApA Designation  Reason Details for Reval and ApA Designation  Bate of Death  Typic of Desth  Type of Desth  Reason Reval  Reason Betals for Reval and ApA Designation  12/15/14  Who filed the Appeal 7  Attorney  ERISA or Nonerisa  Pertirect page mumbers in the "Rival letter 3, Designation 9, Appeal, 30 & 36. Admin 76-	Date Appeal Received	02/11/15					
Insured First Plaine  Glain # 21412010327  Is this are init of Appeal or 2nd Appeal  Group Gustomer Name.  Department Science  Group Life  Team Code.  R  Orig Examiner who diafted Derilat Letter  Genous Derilat Cetter  Genous Origen Coverage or Beneficiary  Goverage 3  Reason  Rival  Genous Male Reason  Rival  Featon Defails for Rival and ADAB exclusions and otherwise Male Rival Rival Bene Designation  Date of Boath  12/15/14  Who friest the Appeal 7  Attorney  ERISA or NonERISA  Partiment page metriclers in the administrative report displayed transition the Hot yiew siew on Transit and the page metricles in the administrative report displayed transition the Hot yiew siew on Transit and the Post of Po	Date Appeal Reviewed	03/19/15					
Statin #   21412010327	ITSUKEU Last Name	Crawford					
Is this an initial Appeal of 2nd Appeal of 2nd Appeal Initial  Group Customer Name Southers Africans  Department Source Group Life  Team Code R  Drig Examine who distred Demark Enter Becky Brown  Senior on Appeal Tim D Coppenheat  Type of Dehal - Soverage of Benis	Insured First Name	Tracy					
Appeal  Broup Custorrer Name  Southwest Airlines  Department Source  Group Life  Team Code  R  Orig Examiner who drafted Denial Letter  Senior on Denial Letter  Senior on Appeal  Tim D Coppenwheat  Type of Denial Deverage or Beneficiary  Coverage 1  Coverage 2  Coverage 3  Reason  Reason Details for Rival and ADKD Exclusions  atherwise NIA  Rival - Invalid Bene Designation  Bake of Death  12/15/14  Who faled the Appeal 7  Attorney  ERISA or NonERISA  ERISA  Rival notice 2, Rival letter 3, Designation 9, Appeal, 30 & 36. Admin 76-  Admin 15/2-10/16 and 16/2-10/16 and 16/		21412010327					
Department Source   Group Life     Team Code   R     Amy Brennan     Senior on Denial Letter   Becky Brown     Senior on Appeal   Tim D Copperwheat     Type of Demai Coverage or Beneficiary     Goverage 1   Seneficiary     Coverage 2   Coverage 3     Reason Defails for Rival and ADKD Exclusions     June Of Death   Attorney     Date of Death   12/15/14     Who falce the Appeal 2     Attorney     ERISA or NonERISA   ERISA     Partiment page numbers in the administrative record displayed from the Hot Vice snewlose     Revenue   Rival     Reval   R	Appeal	InitiaI					
Team Code   R		Southwest Airlines					
Dita Examine with dirafted Demail Letter  Senior on Denial Letter  Senior on Appeal  Tim D Copperwheat  Type of Denial Coverage or Bene  Bene  Sene  S		T. D. C.					
Denial Letter		R					
Sertion on Appeal Tim D Copperwheat  Type of Demat - Coverage or Bene. Beneficiary  Coverage 1  Coverage 2  Coverage 3  Rival  Reason Defails for Rival and AD&D Excitashors otherwise AlfA Rival - Invalid Bene Designation  Date of Death  12/15/14  Who fried the Appeal ?  Attorney  ERISA or NonERISA ERISA  Perfinent page mumbers in the administrative record displayed from the Hot View view on	DenialLetter	Amy Brennan					
Experiment - Soverage or Beneficiary  Coverage 1  Coverage 2  Coverage 3  Reason  Rival  Reason Details for Rival and ADRD Exclusions otherwise N/A  Pate of Death  12/15/14  Who filed the Appeal 7  Attorney  ERISA or NonERISA  Perfinent page numbers in the administrative record displayed from the Hot View snew on		Becky Brown					
Ecoverage 1  Coverage 2  Coverage 3  Rival  Reason Details for Rival and ADAD Exclusions atherwise N/A  Rival - Invalid Bene Designation  Date of Death  12/15/14  Who filed the Appeal Attorney  ERISA or NonERISA  Pertinent page numbers in the administrative record displayed from the Hot View view on		Tim D Copperwheat					
Coverage 3  Reason Petails for Rival and ADAB Exclusions otherwise MA Rival - Invalid Bene Designation  Date of Death 12/15/14  Who faled the Appear 2  ERISA or NonERISA ERISA  Perliment page numbers in the administrative record displayed from the Hot View view on		Beneficiary					
Coverage 3  Rival  Resson Details for Rival and ADRD Exclusions otherwise N/A  Rival - Invalid Bene Designation  Date of Death  12/15/14  Who fried the Appeal?  Attorney  ERISA or NonERISA  Rival notice 2, Rival letter 3, Designation 9, Appeal, 30 & 36. Admin 76-administrative record displayed from the Hot View view on.	Coverage 1						
Reason Details for Rival and AP&D Exclusions otherwise N/A Rival - Invalid Bene Designation  Date of Death 12/15/14  Who filed the Appeal? Attorney  ERISA or NonERISA ERISA  Pertinent page numbers in the administrative record displayed from the Hot View view on	Coverage 2						
Reason Details for Rival and ADED Exclusions  Softenwise N/A Rival - Invalid Bene Designation  Date of Death 12/15/14  Who filed the Appeal Attorney  ERISA or NonERISA ERISA  Pertinent page numbers in the administrative record displayed from the Hot View view on	Coverage 3						
AD&D Exclusions of herwise NFA Rival - Invalid Bene Designation  12/15/14  Vino fried the Appeal? Attorney  ERISA or NonERISA ERISA Pertinent page numbers in the administrative record displayed from the Hol View view on	Reason	Rival					
Date of Death  12/15/14  Who filed the Appeal?  Attorney  ERISA or NonERISA  Pertinent page numbers in the administrative record displayed from the Hol View wiew on							
Who filed the Appeal ?  ERISA or NonERISA  ERISA  Pertinent page numbers in the administrative record displayed from the Hol View view on		Rival - Invalid Bene Designation					
ERISA  ERISA  Pertinent page numbers in the administrative record displayed from the Hot View view on	Date of Death	12/15/14					
Pertinent page numbers in the admin 76-administrative record displayed from the Hot View view on	Who filet the Appeal?	Attorney					
atiministrative record displayed from the Hot View view on	ERISA or NonERISA	ERISA					
	administrative record displayed from the Hot View view on						

Fage 2 for Claim # 21412010327	
Details of Claim File & Appeal	
initial claim submission confacted notice of potential rival. (pg 2). There was not an electronic bene form but the	re
was a paper form on the Spouse, Jayson Crawford contends he is the beneficiary and was named indig. There	is
paper form on file dated 4/25/08 naming a Cooper, great nephew, as primary beneficiary and Mandy niece as contingent (pg 9). No evidence of a 2011 form done naming Jayson, only the 2008. Denial is therefore sent to	
Jayson & his attry advising not the named beneficiary and no evidence of a change of beneficiary in 2011. (pg 27	١
I have payout appeals directly, claiming the plan does obtained state only designation with Meti ife telectronic	) } îs:
yeard and since hone her estate should receive the runds, (pg 30). This is followed by appeal from the attriumith	
same arguement, that the plan states as of 6/15/2013 paper insurance designations forms will not be accepted. A	og
36). There is however nothing noting that prior ones already accepted would be invalidated.	
We contacted admin to confirm prior designations were revoked or not. Admin confirmed nothing revokes the prior	
they just switched from paper to electronic at that time. (pg 76-77)	15,
	l
	, and the same
•	
	₩,
	1
	A Control of

Group Life Claims Division

**MetLife** 

P 0 BOX 6100 SCRANTON, PA 18505-6100

## STATEMENT OF CLAIM

INSURED PAYEE **ADDRESS** 

15118500080231

TRACY CRAWFORD COOPER BURNETT 8300 RED BLUFF APT 628 PASADENA, TX 77507

FACE VALUE INTEREST AMOUNT AMOUNT PAID DATE

CLAIM NUMBER

21412010327 GROUP/SUB/PAY POINT 0149870/000/0007 \$431,000.00 \$105 28 \$431,105.28 04-09-2015

Your claim has been approved and a Total Control Account has been established four train has been approved and a lotal control Account has been established for you. You will be receiving a package which will include a draftbook and large booklet explaining your account within the next few days. If you have any questions about your account please call our toll free number (1-800-638-7283) to speak to a customer service representative.

#### important:

United States Social Security benefits may also be payable For information regarding possible benefits we suggest that the claimant communicate with the nearest office of the Social Security Administration, if the deceased insured was named as beneficiary on any other insurance policies, a new beneficiary should be designated without delay.

The interest portion of this payment is taxable income and should be included on your federal and state income tax returns. If the interest paid is \$200 or more, it will be reported to the IRS, and you will receive Form 1099-INT at year end. Therefore, please notify the claims office listed above of any address change

POLICY HOLDER SOUTHFIELD LRK METROPOLITAN LIFE INS. CO. P.O. BOX 6100 SCRANTON, PA 18505-6100

COOPER BURNETT 8300 RED BLUFF APT 628 PASADENA, TX 77507

MET/CRAWFORD 00688

APP.045

Case 3:16-cv-02402-B Document 56-1 Filed 07/07/17 Page 46 of 50 PageID 836

GROUP LIFE APPEALS TEMPLATE						
Date of Denial or Tempination	02/02/15					
Date Appeal Received	07/20/15					
Date Appeal Reviewed	07/30/15					
Insured Last Name	Crawford					
Insured First Name	Tracy					
Claim#	21412010327					
Is this an initial Appeal or 2nd Appeal	2nd					
Group Customer Name	Southwest Airlines					
Department Source	Group Life					
Team Code	R					
Orig Examiner who drafted. Denial Letter	Amy Brennan					
Senior on Denial Letter	Tim D Copperwheat					
Seлют on Appeal	Marie O'Dell					
Type of Denial - Coverage or Bene						
	Beneficiary					
Coverage 1						
Coverage 2						
Coverage 3						
Reason	Rival					
Reason Details for Rival and						
AD&D Exclusions otherwise N/A	Rivat - Invalid Bene Designation					
Date of Death	12/15/14					
Who filed the Appeal?	Attorney					
ERISA or NonERISA	ERISA					
Pertinent page numbers in the administrative record displayed from the Hot-View view on Net View.	D/C: 85 New Appeal (new atty): 128 - 133 Rival Notice: 2, 3, 4, 6, 7 2nd uphold: 150-151 Bene Designation: 9 Atty letter: pgs 155-156 Denial (not bene): 27, 28 Appeal: 30, 31, 35, 36, 37 Admin Emails: 75 - 79 Uphold: 87, 88, 101, 102					

and the second	100.0	25 C Sec.	CX 1777	
	ANN 1000	A 100	ALC: NO	

21412010327

Details of Claim File & Appeal.

A rival claim was submitted from the EE's spouse Jayson Crawford. The only beneficiary designation form on file was a paper designation completed in 2008 naming a great-nephew as the beneficiary. Crawford contended that he was named as the beneficiary in 2011; this was not the case so we denied the rival claim. Crawford and his attorney both appealed, claiming the plan docs obtained state that only electronic designations with MetLife are valid and that therefore, the estate should get the funds since there was no electronic designation on file. The attorney argued that the plan states as of 6/15/2013, paper insurance designations forms will not be accepted (36). The Plan never states that older designations are revoked. We contacted admin to confirm if prior designations were revoked or not. Admin confirmed nothing revokes the priors, the customer just switched from paper to electronic at that time. We upheld our denial and provided certain documents to the first attorney representing Crawford. Crawford has obtained a new attorney, Rawlings, who makes a demand for payment. Rawlings essentially makes many of the same arguments and states that it was the EE's intention for Crawford to be named as beneficiary by default. Rawlings requested the entire claim file, other enrollment forms, and case

Rawlings requested the entire claim file, other enrollment forms, and case law sufficient in Rawlings' view to support our actions. Funds were PIF to the designated beneficiary of 2008 after the uphold was sent. We sent an uphold letter to atty Rawlings. Atty Rawlings has sent in another letter stating he has not received a copy of the policy. He also states that just because the SPD does not state that paper designations would no longer be honored and is requesting anything that MetLife relied upon to accept the paper designation.

Send response letter to atty that the policy would be same doc as SPD for group life insurance. Also advise that the SPD is a summary that the employees rely upon regarding changes to their benefits so based on the language in the SPD it only states that paper forms will not be accepted effective 6/15/13 but does not direct the employees to complete a new form if they have a paper designation on file. Also advise appeal rights exhausted.

# MetLife

Metropolitan Life Insurance Company

Group Life Claims PO Box 6100 Scranton, PA 18505

March 31, 2015

JAYSON CRAWFORD 1114 14TH STREET GALVESTON, TX 77550

RE: Insured: Tracy Crawford

Group No: 0149670 Claim No. 21412010327

Dear Jayson Crawford:

We are writing in regard to the above-referenced claim for Group Life insurance benefits. Please accept our sincere condolences at this time.

In order for us to continue reviewing this claim, we request that you please forward the following documentation and/or requested information to this office. Please do not submit original documents unless expressly directed to – original documents will not be returned:

> Certified Estate Papers issued by the Probate Court appointing an Administrator/Executor for the Estate of TRACY CRAWFORD.

The required information is necessary to further review the claim. If it is not received, MetLife must place the proceeds into a Liability (or holding) Account. The proceeds will remain there until the necessary documents are provided or the proceeds may ultimately need to be escheated to the appropriate state.

If you have any questions, please contact our office at 800-638-6420 prompt 2. Sincerely

Group Life Claims Operations

Enclosure BGP01

# MetLife

Metropolitan Life Insurance Company

Group Life Claims PO Box 6100 Seranton, PA 18505

March 02, 2015

GUARDIAN OF COOPER BURNETT C/O DENNIS SLATE ATTORNEY AT LAW-112 E FORREST DEER PARK, TX 77536

RE: Insured: Tracy Crawford

Group No: 0149670 Claim No. 21412010327

Dear Guardian Of Cooper Burnett:

We are writing in regard to the above-referenced claim for Group Life insurance benefits. Please accept our sincere condolences at this time.

In order for us to continue reviewing this claim, we request that you please forward the following documentation and/or requested information to this office. Please do not submit original documents unless expressly directed to – original documents will not be returned:

- A Certified Death Certificate for TRACY CRAWFORD, with a raised or colored seal, indicating the cause and/or manner of death.
- > Complete the enclosed Claimant's Statement, sign and date the form.

The required information is necessary to further review the claim. If it is not received, MetLife must place the proceeds into a Liability (or holding) Account. The proceeds will remain there until the necessary documents are provided or the proceeds may ultimately need to be escheated to the appropriate state.

If you have any questions, please contact our office at 800-638-6420 prompt 2.

Sincerely

Group Life Claims Operations

Enclosure BGP01